

STATE OF NEW JERSEY

In the Matter of Ruben Rivera, County Correction Sergeant (PC2926W), Hudson County	: : : :	FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION Examination Appeal		ION
CSC Docket No. 2019-3248	: :			
		<b>ISSUED:</b>	JUNE 14, 2019	(HS)

Ruben Rivera requests an opportunity to submit the application processing fee for the promotional examination for County Correction Sergeant (PC2926W), Hudson County.

The announcement for the subject examination issued on November 1, 2018 with a closing date of November 21, 2018. The announcement required, among other things, payment of a \$50 application processing fee. The status of the appellant's application in agency records as of November 19, 2018 was pending as the payment selection had not been completed. One hundred fifty-nine applicants were admitted to the examination, which was administered as a written test on May 22, 2019.

On appeal to the Civil Service Commission (Commission), the appellant maintains that on November 19, 2018, he submitted an online application for the subject examination with the application processing fee but only later learned that his credit card payment had not been processed. He requests the opportunity to pay the application processing fee anew. In support, he submits a copy of his application and a printout of the online "Payment Verification" page from State of New Jersey Payment Processing Services dated November 19, 2018. The printout indicates a "Transaction Summary" of \$50 in examination fees; the appellant's billing information; and a "Payment Method" section, which includes the appellant's name, the credit card type and redacted credit card and card verification numbers. It is noted that the printout does not include any button to be clicked to further confirm and submit payment.

## CONCLUSION

*N.J.A.C.* 4A:4-2.17 provides, in pertinent part, that this agency shall establish a fee for each application for a promotional examination for a law enforcement officer title and that applications received without a fee shall not be processed. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

In this matter, the appellant's belief that he had made full payment for the subject examination based on the "Payment Verification" page was a reasonable one. In this regard, the printout indicates a "Transaction Summary" of \$50 in examination fees. Moreover, it contains redacted credit card information, and no button to be clicked to further confirm and submit payment. Nevertheless, there is no evidence in the record that the appellant's credit card was in fact charged. Therefore, under these circumstances, the Commission finds that the appropriate remedy is to permit the appellant to now make payment and to have his application be processed provided he makes the payment.

## ORDER

Therefore, it is ordered that Ruben Rivera make the required \$50 payment to the Division of Agency Services for his examination within 30 days of the issue date on this decision. The payment is to be in the form of a check or money order made payable to "NJCSC." Upon receipt of payment, the appellant's application shall be processed for prospective employment opportunities. If the appellant fails to submit the required payment within 30 days of the issue date on this decision, he will not be entitled to have his application be processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION ON THE 12<sup>TH</sup> DAY OF JUNE, 2019

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Deirdré L. Webster Cobb Chairperson Civil Service Commission

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c. Ruben Rivera Elinor M. Gibney Kelly Glenn Records Center